

Michael A. Tomasulo (SBN: 179389)  
*mtomasulo@winston.com*  
David K. Lin (SBN: 278404)  
*dlin@winston.com*  
Joe Netikosol (SBN: 302026)  
*jnetikosol@winston.com*  
WINSTON & STRAWN LLP  
333 South Grand Avenue, 38th Floor  
Los Angeles, CA 90071  
T: (213) 615-1700  
F: (213) 615-1750

Dustin J. Edwards (*pro hac vice pending*)  
*dedwards@winston.com*  
WINSTON & STRAWN LLP  
800 Capitol Street, Suite 2400  
Houston, TX 77002  
T: (713) 651-2600  
F: (713) 651-2700

Katherine Vidal (SBN: 194971)  
*kvidal@winston.com*  
Louis L. Campbell (SBN: 221282)  
*llcampbell@winston.com*  
WINSTON & STRAWN LLP  
255 Shoreline Dr., Suite 520  
Redwood City, CA 94065  
T: (650) 858-6500  
F: (650) 858-6550

Attorneys for Defendant  
Roku, Inc.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

Media Chain, LLC

Plaintiff,

vs.

Roku, Inc.

Defendant.

**Case No. 21-cv-09528-EMC**

**MOTION FOR JUDGMENT ON THE  
PLEADINGS**

Date: February 24, 2022

Time: 1:30 p.m.

Place: Courtroom 5, 17th floor

**Notice of Motion**

Please take notice that on February 24, 2022, at 1:30 p.m., or as soon after as the parties are heard, in the courtroom of the Honorable Edward M. Chen, located at Courtroom 5, 17th Floor, 450 Golden Gate Avenue, San Francisco, California, Roku will move for judgment on the pleadings.

**Points and Authorities in Support of Motion**

Roku filed this motion prior to the transfer of this case from the Western District of Texas. Docket Index (“DI”) 63. Media Chain filed an opposition brief prior to the transfer of this case from the Western District of Texas. DI 64. The motion to transfer was granted on Dec. 7, 2021, two days before Roku’s reply brief was due. DI 65. Roku filed the reply brief in the docket for the Western District of Texas on its original Dec. 9, 2021, due date. *See* 1:21-00027-LY DI 67 (W.D.Tex. Dec. 9, 2021). Roku refiled a substantively identical reply brief in this Court’s docket on Dec. 13, 2021. DI 68. Hence the briefing of this motion is complete (DI 64, 65, and 68). The present document only serves to notice the motion for a hearing pursuant to the procedures of Northern District of California.

Dated: January 12, 2022

WINSTON & STRAWN LLP

By: Michael A. Tomasulo  
 Michael A. Tomasulo  
 Winston & Strawn LLP  
 333 S. Grand Avenue  
 Los Angeles, CA 90071  
 tel. (213) 615-1700  
 fax (213) 615-1750  
 mtomasulo@winston.com

Katherine Vidal  
 Louis Campbell  
 Winston & Strawn LLP  
 255 Shoreline Drive, Suite 520  
 Redwood City, CA 94065  
 tel. (650) 858-6500  
 fax (650) 858-6550  
 kvidal@winston.com  
 llcampbell@winston.com

ATTORNEYS FOR DEFENDANT ROKU, INC.

**CERTIFICATE OF SERVICE**

**United States District Court for the Northern District of California**

***Media Chain, LLC. V Roku, Inc.***

**Case No. Case No. 21-cv-09528-EMC**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Winston & Strawn LLP, 333 S. Grand Avenue, Los Angeles, CA 90071-1543. On January 12, 2022, I served the following document(s):

**MOTION FOR JUDGMENT ON THE PLEADINGS**



**ECF**: by electronically filing the document(s) listed above using the Court's CM/ECF System, in accordance with the applicable Federal Rules of Civil Procedure and the Local Rules of this Court. A Notice of Electronic Filing (NEF) will be automatically generated by the CM/ECF system and sent by e-mail to all attorneys who have appeared in this case.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Signed: /s/ Michael A. Tomasulo

Dated: January 12, 2022